

**Newly Enacted Statutes Affecting  
Public and Private Schools  
Passed During the 2011 Legislative Session**

**as required by  
NRS 385.210**

**provided by  
Keith Rheault  
Superintendent of Public Instruction**

**June 30, 2011**

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## **2011 LEGISLATIVE BILL SUMMARY**

This document is intended to provide a quick reference to the newly enacted statutes passed by the 2011 Legislature that affect K-12 education in Nevada. The document does not provide the specific details needed, in many cases, to carry out the requirements of the statutes. Each bill as enrolled should be referred to when specific wording and requirements to the statute changes are desired. The full text of each enrolled bill can be found on the Nevada Legislative Home Page at [www.leg.state.nv.us](http://www.leg.state.nv.us) under Session Information (2011 Session) by clicking on the appropriate bill listed under Bill Information.

### **ASSEMBLY BILLS**

#### **Assembly Bill 39 –Revises provisions governing educational personnel.**

##### Summary of Statute Changes

- Eliminates requirement for Department of Education to provide written notice, by first class mail, to licensed educational personnel regarding the expiration date of their license.
- Requires Department of Education to maintain a directory of the name of each person who holds an educational license issued by the state regarding the date on which the license will expire and make the directory available to licensed educational personnel and the general public on the Internet Website maintained by the Department.
- Requires Department of Education to provide each school district, on a monthly basis, an electronic file with a list of each licensed employee of the school district whose license will expire within nine months immediately following the month of notification.
- Requires school districts to notify each licensed employee identified on the list of employees provided by the Department of the pending licensure expiration. The notice must be provided not later than six months before the expiration date of the license and the method of notification is to be determined by the school district.
- The Act becomes effective on July 1, 2011.

##### State Board/Department of Education Action Required

The Office of Teacher Licensure has already established the electronic directory of all licensed personnel within the state and has the directory information available on the Department Internet Website under “Find a Teacher” at: <http://nvteachersearch.doe.nv.gov/> . The Office of Teacher Licensure will establish the procedure and files to be provided to each school district, on a monthly basis, no later than July 31, 2011. The Department will provide technical assistance to school districts and charter schools, as needed, regarding the implementation of the bill requirements.

##### Primary Department Contact

Jerry Barbee, Office of Teacher Licensure, Telephone Number: (702) 486-6455

#### **Assembly Bill 113 - Revises provisions governing the statewide system of accountability for public schools.**

##### Summary of Statute Changes

- Changes the date on which the State Board must make available the annual report of accountability to the public from September 1 of each year to October 15 of each year.
- Changes the date on which the State Board must provide a summary of the annual report of accountability posted on the Internet website maintained by the Department of Education from September 7 of each year to October 20 of each year.

- Requires the State Board to develop a five year strategic plan which identifies the recurring issues in improving the achievement and proficiency of pupils in Nevada as well as establishing goals that address the issues. The plan must be based on actual data collected by the Department of Education from the previous school year and be designed to track the progress being made in achieving the strategic goals.
- Changes the date on which the State Board must develop a revised State School Improvement Plan from December 15 of each year to January 31 of each year.
- Changes the date on which the local board of trustees of each school district must make available the annual report of accountability to the public from August 15 of each year to September 30 of each year.
- Changes the date on which the local board of trustees of each school district must develop a State School Improvement Plan or a revised plan from September 7 of each year to October 20 of each year.
- Changes the date on which the principal of each public school must provide a summary of the annual report of accountability for the school from September 7 of each year to October 20 of each year.
- Changes the date on which the Department of Education must determine whether each public school is making adequate yearly progress (AYP) as well as notifying each school district of the determinations from June 15 of each year to July 31 of each year.
- Changes the date on which the Department of Education must preliminarily determine whether each public school is making adequate yearly progress (AYP) from June 15 of each year to July 31 of each year. Changes date in which the Department must make a final determination of AYP status from August 1 of each year to September 15 of each year.
- Changes the date on which the local board of trustees of each school district must issue a preliminary designation of each public school in the school district from July 1 of each year to August 15 of each year and changes the date on which a final determination is made from August 1 of each year to September 15 of each year.
- Changes date on which the Department of Education must preliminary determine AYP status of the school district as a whole from July 1 of each year to August 15 of each year and changes the date on which a final designation is made from August 1 of each year to September 15 of each year.
- Requires Department of Education to review testing dates for the criterion-referenced tests in grades 3 through 8 and revise the testing schedule to establish testing dates at least 30 days later in the spring semester for purposes of determining adequate yearly progress of schools. Current date of testing is 120<sup>th</sup> day of school would be moved to the 150<sup>th</sup> day of school.
- Requires Department of Education to submit a report to the Director of the Legislative Counsel Bureau regarding the revisions made to the testing schedule on or before October 1, 2011.
- The Act becomes effective on July 1, 2011.

#### State Board/Department of Education Action Required

The Department of Education will establish new testing dates for the criterion-referenced tests in grades 3 through 8 beginning with the 2011-12 school year and provide the new testing date information to school districts and charter schools no later than September 1, 2011. Department of Education staff will seek input from school district and charter school staff in the development of the revised testing schedule. The Department will submit the required implementation report to the LCB Director by October 1, 2011

#### Primary Department Contact

Carol Crothers, Office of Assessment, Program Accountability & Curriculum, Telephone Number: (775) 687-9186

**Assembly Bill 117- Temporarily revises provisions governing the required minimum number of school days in public schools.**

Summary of Statute Changes

- Authorizes the Board of Trustees of a school district or the Governing Board of a charter school to request, during the 2011-2013 biennium, a waiver from the required number of school days in a school year for economic hardship reasons only.
- School districts or charter schools experiencing economic hardship may submit a written request to the Superintendent of Public Instruction on a form prescribed by the Department of Education. A waiver of no more than five non-instructional days of school from the required 180 days of school may be requested to avoid layoff of teachers and other educational personnel.
- The Superintendent of Public Instruction must review each written request to determine whether an economic hardship exists and whether a waiver of the required number of school days is warranted. If the Superintendent determines a waiver is needed, the written request along with the basis for the Superintendent's determination will be forwarded to the Interim Finance Committee of the Legislature.
- The Interim Finance Committee must consider and make a final determination of the request. If the Committee grants a waiver, the Committee shall by resolution set forth the grounds for the determination and the number of school days that may be waived for the school year.
- Defines an economic hardship as a hardship that exists for a school district or charter school if projections of revenue do not meet or exceed the revenue anticipated at the time the basic support guarantees are established for the fiscal year pursuant to NRS 387.122; or the school district or charter school incurs unforeseen expenses, including, without limitation, expenses related to a natural disaster.
- Provides Legislative intent that if a school district or charter school utilizes a furlough program as part of the economic hardship school day waiver request that the employees who take furlough leave need to be held harmless in the accumulation of retirement service credit and reported salary to the Public Employees' Retirement System. Requires the terms and conditions of any furloughs to be negotiated pursuant to chapter 288 of NRS
- The provisions of the Act apply to the 2011-12 and 2012-13 school years only.
- The Act became effective upon passage and approval and expires by limitation on June 30, 2013.

State Board/Department of Education Action Required

Department staff will develop the application form and documentation to be included as part of the written request to be submitted by school districts regarding the waiver of school days based on economic hardship by September 30, 2011.

Primary Department Contact

Greg Weyland, Deputy Superintendent, Telephone Number: (775) 687-9102

**Assembly Bill 138- Revises provisions governing pupils.**

Summary of Statute Changes

- The bill authorizes the Department of Education to work in consultation with the Nevada System of Higher Education to develop a plan to establish clearly defined goals and benchmarks for pupils enrolled in public high schools to ensure that those pupils are adequately prepared for the educational requirements of postsecondary education and for success in the workplace.
- If a plan is established, the bill requires the Superintendent of Public Instruction to submit a report by February 1 of each odd-numbered year on the progress of the plan to the Director of the Legislative Counsel Bureau. In even-number years, the progress report must be provided to the legislative Committee on Education. This requirement expires by limitation on June 30, 2014.
- Requires the Department of Education and school districts to include the number of pupils receiving the adult diploma as part of the annual report of accountability.



- Requires the Department of Education and school districts to include the number of incidents resulting in suspension or expulsion of pupils for bullying, cyber-bullying, harassment or intimidation, reported for each school district, including, without limitation, each charter school in the district, as part of the annual report of accountability.
- The bill revises the provisions governing the policy for the 4-year academic plan for ninth grade pupils to provide that the policy may ensure that each ninth grade pupil and his or her parent or legal guardian are provided, to the extent practicable, with information concerning certain courses and programs available to the pupil, as well as the requirements for graduation, for admission to the Nevada System of Higher Education and for receipt of a Governor Guinn Millennium Scholarship.
- The bill authorizes the board of trustees of each school district to adopt a policy that allows a pupil enrolled in a public school within a school district to report, anonymously if the pupil chooses, any unlawful activities that are being conducted on school property, at an activity sponsored by the public school or on a school bus, commonly referred to as a "secret witness program."
- Requires that if a school district adopts a policy, each public school within the district shall post the policy prominently in various locations throughout the school as well as on the Internet website maintained by the school district. The posting must clearly denote the phone number or other method of reporting the unlawful activity.
- The bill revises the minimum age by which a pupil may be excused from full time school attendance to enter employment or an apprenticeship program from 14 to 15 years old.
- The Act becomes effective on July 1, 2011.

#### State Board/Department of Education Action Required

Department of Education will notify the school districts of the new or revised requirements of the bill by July 1, 2011. Information Technology staff will develop a timeline and work with school districts to modify the state accountability information system (SAIN) to be able to collect the required accountability information by the end of the 2011-12 school year.

#### Primary Department Contact

Glenn Meyer, Office of Information Technology, Telephone Number: (775) 687-9140 (Accountability Reporting Information)

Keith Rheault, Superintendent of Public Instruction, Telephone Number: (775) 687-9217

#### **Assembly Bill 171– Revises provisions governing charter schools.**

#### Summary of Statute Changes

- The bill revises the membership of a committee to form a charter school.
- Revises the process for review of an application to form a charter school by the Department of Education to include a determination as to whether the application is substantially complete and compliant.
- Revises the definition of "teacher" for the purpose of membership on the committee to form or the governing body as a person who holds a current license to teach issued by the state or who previously held such a license and is retired, as long as his or her license was held in good standing and has at least 2 years of experience as an employed teacher.
- The bill revises the procedure for the review of an application to form a charter school if the proposed sponsor is the State Board of Education. (Note: With the passage of Senate Bill 212, the State Board will be replaced as a sponsor of charter schools by a new State Charter School Authority. Please refer to the summary of SB 212 provided in this document for a description of the revisions made to the charter school application approval and denial process under the State Charter School Authority.
- The bill authorizes the Department to request certain information from a charter school, regardless of whether that information is required by specific statute, and provides that if the Department requests such information, the Department shall include in the request a mechanism by which the Department will pay or reimburse the charter school for the requested information.

- Revises the membership of the governing body of a charter school and authorizes the governing body, upon a majority vote of members, to set a salary for the attendance of its members at meetings of the governing body, not to exceed \$80 per meeting per month.
- In regard to the requirements for a charter school to be exempt from an annual performance audit and undergo a performance audit every 3 years, the bill clarifies that at least 75 percent of the pupils enrolled in the charter school in grade 12 in the immediately preceding school year who have satisfied the course work requirements for graduation and have passed the high school proficiency examination be used as one of the eligibility requirements for the exemption.
- Requires the State Board to prescribe a process which ensures that all charter schools, regardless of the sponsor, have information on all sources of funding for the public schools provided through the Department.
- Regarding the statutes that allow for a school district employee to be granted a leave of absence to work as a teacher at a school district sponsored charter school, the bill removes the provision which provides that the employee may return to his or her former teaching position and instead authorizes the employee to return to a comparable teaching position.
- Requires that upon the request of a governing body of a charter school, the board of trustees of a school district, with the permission of the licensed employee who is seeking employment with the charter school, transmit to the governing body a copy of the employment record of the employee that is maintained by the school district.
- Requires that upon request of the board of trustees of a school district, the governing body of a charter school, with the permission of the licensed employee who is granted a leave of absence from the school district, transmit to the school district a copy of the employment record of the employee maintained by the charter school.
- Authorizes the school district to conduct an investigation of any misconduct of the licensed employee who was granted a leave of absence for employment with a charter school and who requests to return to employment with the school district. Specifies that the licensed employee is not entitled to return to employment with the school district until the investigation is complete.
- Requires a charter school, to the extent practicable, to notify the school district in which the child resides if the child who was homeschooled enrolls in the school and provides that the child may be counted for the purposes of the calculation of basic support whether or not the charter school provides the notice.
- The Act becomes effective on July 1, 2011.

State Board/Department of Education Action Required

Department staff shall notify charter schools and school districts of the changes to statutes affecting the operation of charter schools by July 1, 2011.

Primary Department Contact

Steve Canavero, Office of Charter Schools, Telephone Number: (775) 687-9160

**Assembly Bill 222— Creates the Teachers and Leaders Council of Nevada.**

Summary of Statute Changes

- Requires the information maintained in the state automated system of accountability related to the results of pupil achievement to account for at least 50 percent, but not be used as the sole criterion, in evaluating the performance of an individual teacher, paraprofessional or other employee.
- Creates a Teachers and Leaders Council consisting of 15 members: Two ex-officio members, the Superintendent of Public Instruction and the Chancellor of the Nevada System of Higher Education or their designees; Four teachers in public schools appointed by the Governor from a list of nominees submitted by the Nevada State Education Association; Two administrators in public schools appointed by the Governor from a list of nominees submitted by the Nevada Association of School Administrators; One superintendent of schools of a school district appointed by the Governor from a list of nominees

submitted by the Nevada Association of School Superintendents; Two persons who are members of boards of trustees of school districts and who are appointed by the Governor from a list of nominees submitted by the Nevada Association of School Boards; One representative of the regional training programs for the professional development of teachers and administrators appointed by the Governor from a list of nominees submitted by the Nevada Association of School Superintendents; One parent or legal guardian of a pupil enrolled in public school appointed by the Governor from a list of nominees submitted by the Nevada Parent Teacher Association; and two persons with expertise in the development of public policy relating to education appointed by the Superintendent of Public Instruction.

- Specifies that, after the initial terms, each appointed member of the Council serves a term of 3 years commencing on July 1 and may be reappointed to one additional 3-year term following his or her initial term. If any appointed member of the Council ceases to be qualified for the position to which he or she was appointed, the position shall be deemed vacant and the appointing authority shall appoint a replacement for the remainder of the unexpired term.
- Specifies that the Council shall elect a Chair from among its members and meet at least semiannually and may meet at other times upon the call of the Chair or a majority of the members of the Council. Nine members of the Council constitute a quorum.
- Specifies that a member of the Council who is a public employee must be granted administrative leave from the member's duties to engage in the business of the Council without loss of his or her regular compensation. Such leave does not reduce the amount of the member's other accrued leave.
- Specifies that the Department of Education shall provide administrative support to the Council.
- Outlines the major responsibilities of the Council to include: Make recommendations to the State Board concerning the adoption of regulations for establishing a statewide performance evaluation system for teachers and administrators employed by school districts by June 1, 2012; Develop and recommend to the State Board a plan, including duties and associated costs, for the development and implementation of the performance evaluation system by the Department and school districts; Consider the role of professional standards for teachers and administrators and, as it determines appropriate, and develop a plan for recommending the adoption of such standards by the State Board.
- Requires the State Board to consider the recommendations made by the Council and to adopt regulations establishing a statewide performance evaluation system by June 1, 2013.
- Specifies that each school district shall implement a performance evaluation policy for teachers and administrators that complies with the system adopted through regulations by the State Board not later than the 2013-2014 school year.
- Specifies that the statewide performance evaluation system must require that an employee's overall performance is determined to be: Highly effective; Effective; Minimally effective; or Ineffective.
- The bill amends Assembly Bill No. 229 to provide that the probationary teacher or probationary administrator may make a request for their next evaluation to be conducted by an outside evaluator if the teacher or administrator receives an evaluation of "minimally effective" or "ineffective" on the first or second evaluation, or both evaluations. Effective on July 1, 2013.
- The bill makes an appropriation to the Department of Education in the amount of \$24,000 for FY12 and \$8,000 in FY13 for the costs associated with the Teachers and Leaders Council of Nevada
- Unless otherwise noted within the summary, the Act becomes effective on July 1, 2011.

#### State Board/Department of Education Action Required

The Superintendent of Public instruction shall identify two members with expertise in public policy for Council appointments no later than August 30, 2011. Department staff will work with the Governor's office to establish the operational functions of the Council by August 30, 2011.

#### Primary Department Contact

Rorie Fitzpatrick, Office of Special Education, ESEA and School Improvement, Telephone Number: (775) 687-9140

**Assembly Bill 224 – Revises provisions governing parental involvement in education.**

Summary of Statute Changes

- Creates the Office of Parental Involvement and Family Engagement within the Department of Education and requires the Superintendent of Public Instruction to appoint an employee of the Department to serve as the Director of the Office.
- Outlines an extensive list of responsibilities and expected outcomes of the Office of Parental Involvement and Family Engagement in Section 3 of the bill.
- Authorizes the board of trustees of a school district to establish an advisory council on parental involvement and family engagement to work in conjunction with the State Parent Advisory Council.
- Revises the required annual report of accountability information for the public schools by school districts and charter schools to include information on the involvement of parents and the engagement of families in the education of their children.
- Changes the name of the current Advisory Council on Parental Involvement to the Advisory Council on Parental Involvement and Family Engagement.
- Requires the Commission on Professional Standards, in cooperation with the Office of Parental Involvement and Family Engagement, to adopt regulations prescribing course work on parental involvement and family engagement on or before December 31, 2011.
- Adds the Director of the Office of Parental Involvement and Family Engagement to the membership of the Statewide Council for the Coordination of Regional Training Programs and requires the Statewide Council, to establish a statewide training program for teachers and administrators concerning effective parental involvement and family engagement to include training on how to involve parents and engage families and how to work with parent liaisons in public schools.
- The bill makes an appropriation to the Department of Education to support the hiring of a Director of the Office of Parental Involvement (on or after October 1, 2011) and support for the Advisory Council in the amount of \$77,126 for FY12 and \$101,594 in FY13.
- The Act becomes effective on July 1, 2011.

State Board/Department of Education Action Required

School districts and charter schools will be notified as to the provisions of the bill by July 1, 2011. The Office of Parental Involvement and Family Engagement will be established within the Department of Education on or after October 1, 2011.

Primary Department Contact

Jerry Barbee, Office of Teacher Licensure, Telephone Number: (702) 486-6455 (Licensure Commission Provisions)

Rorie Fitzpatrick, Office of Special Education, ESEA and School Improvement, Telephone Number: (775) 687-9140

**Assembly Bill 225 – Requires an additional probationary period for certain teachers and administrators.**

Summary of Statute Changes

- Stipulates that a postprobationary employee who receives an unsatisfactory evaluation or any other equivalent evaluation designating his or her overall performance as below average, for two consecutive school years shall be deemed to be a probationary employee and must serve an additional probationary period in accordance with the provisions of NRS 391.3197. Clarifies the definition of “Probationary employee” to include a person who is deemed to be a probationary employee pursuant to this provision.

- Provides that the probationary provisions of the bill are not superseded by the terms of a collective bargaining agreement.
- Authorizes a teacher or administrator who is deemed to be a probationary employee pursuant to the provisions of the bill and who receives notice that he or she will be dismissed before the completion of the current school year to request an expedited hearing pursuant to the expedited hearing procedures established by the American Arbitration Association.
- The Act becomes effective July 1, 2011.

State Board/Department of Education Action Required

No plan of action to be developed. Department staff shall notify school districts of the change in law for information purposes only by July 1, 2011.

Primary Department Contact

Keith Rheault, Superintendent of Public Instruction, Telephone Number: (775) 687-9217

**Assembly Bill 227 – Requires boards of trustees of school districts to grant the use of certain athletic fields to certain nonprofit organizations.**

Summary of Statute Changes

- Requires the board of trustees of a school district, upon request by a nonprofit organization and subject to availability and other conditions, to grant the use of any athletic field that does not contain lights at an elementary, middle or junior high school within the school district if the nonprofit organization serves adults and children with disabilities or provides programs for youth sports.
- Stipulates that the nonprofit organization may use the field at any time that: is not during regular school hours; Use of the field is not required for school-related activities; and the field is not in the process of undergoing maintenance or renovation. Also requires a nonprofit organization, if granted use of an athletic field, to comply with any insurance coverage and indemnification provisions required by the board of trustees of the school district.
- Stipulates that the provisions of the bill do not apply if a school district has entered into an agreement with a local government to provide the use of the athletic fields or playgrounds of the school district to a community organization which provides programs for youth sports.
- The Act becomes effective July 1, 2011.

State Board/Department of Education Action Required

No plan of action to be developed. Department staff shall notify school districts of the change in law for information purposes only by July 1, 2011.

Primary Department Contact

Keith Rheault, Superintendent of Public Instruction, Telephone Number: (775) 687-9217

**Assembly Bill 229 - Revises provisions governing the accountability and performance of public schools and educational personnel.**

Summary of Statute Changes

- The bill expands the requirements of the annual reports of accountability at the state and school district level to include a reporting of the number and percentages of administrators, teachers and other staff for each elementary school, middle school or junior high school, and high school and for each school district in the State.

- Defines an “Administrator” to mean a person who spends at least 50 percent of his or her work year supervising other staff or licensed personnel, or both, and who is not classified by the board of trustees of a school district as a professional-technical employee.
- Defines “Other staff” to mean all persons who are not reported as administrators or teachers, including, without limitation School counselors, school nurses and other employees who spend at least 50 percent of their work year providing emotional support, noninstructional guidance or medical support to pupils; and noninstructional support staff, including, without limitation, janitors, school police officers and maintenance staff; and persons classified by the board of trustees of a school district as professional-technical employees, including, without limitation, technical employees and employees on the professional-technical pay scale.
- Defines “Teacher” to mean a person licensed by the state who is classified by the board of trustees of a school district as a teacher who spends at least 50 percent of his or her work year providing instruction or discipline to pupils or as instructional support staff, who does not hold a supervisory position and who spends not more than 50 percent of his or her work year providing instruction to pupils. Such instructional support staff includes, without limitation, librarians and persons who provide instructional support.
- Requires the board of trustees of each school district to establish a program of performance pay and enhanced compensation for the recruitment and retention of licensed teachers and administrators which must be negotiated pursuant to chapter 288 of NRS and implement the program commencing with the 2014-2015 school year.
- Stipulates that the program of performance pay and enhanced compensation established by a school district must have as its primary focus the improvement in the academic achievement of pupils and must give appropriate consideration to implementation in at-risk schools.
- Effective July 1, 2013, the bill revise the policies for evaluations to require the designation of an individual teacher or administrator as “highly effective,” “effective,” “minimally effective” or “ineffective” and provide that the policies must require that pupil achievement account for at least 50 percent of the evaluations.
- In reference to the rights and responsibilities relating to disciplinary measures taken by school districts in regard to probationary and postprobationary teachers and administrators, the bill removes probationary teachers and new employees hired as probationary administrators from the applicability of the provisions governing admonition, demotion, suspension, dismissal and nonreemployment.
- The bill revises the grounds for which a teacher may be suspended, dismissed or not reemployed or for which an administrator may be demoted, suspended, dismissed or not reemployed to include gross misconduct. Definition of gross misconduct also included in the bill.
- Provides that a postprobationary teacher who receives an evaluation of “minimally effective” or “ineffective” must be evaluated three times in the immediately succeeding school year.
- Expands the grounds for which a licensed employee is subject to immediate dismissal or a refusal to reemploy without first receiving a written admonition to include gross misconduct.
- Revises the probationary period from two 1-year periods to three 1-year periods, without a waiver of any of the probationary years. A probationary employee is employed on a contract basis for three 1-year periods and has no right to employment after any of the three probationary contract years. Also provides that a probationary employee who receives notice that he or she will be dismissed before the completion of the current school year may request an expedited hearing pursuant to the procedures established by the American Arbitration Association or its successor organization.
- Provides that a board of trustees of a school district that determines a reduction in the existing workforce of licensed educational personnel is necessary must not base the decision to lay off a teacher or an administrator solely on the seniority of the teacher or administrator and may consider certain other factors.
- Unless otherwise noted, all provisions of the Act becomes effective July 1, 2011.

State Board/Department of Education Action Required

Department staff shall notify school districts of the change in law for information purposes only by July 1, 2011. Department staff will work cooperatively with school district staff to modify state accountability information system (SAIN) changes to implement the requirements of the bill by the end of the 2011-12 school year.

Primary Department Contact

Glenn Meyer, Office of Information Technology, Telephone Number: (775) 687-9140 (Accountability Reporting Information)

Keith Rheault, Superintendent of Public Instruction, Telephone Number: (775) 687-9217

**Assembly Bill 230 - Authorizes an alternative route to licensure for teachers and administrators.**

Summary of Statute Changes

- Requires the State Board, on an annual basis, to evaluate each provider approved by the State Board or the Commission on Professional Standards in Education that offers a course of study or training designed to qualify a person to be a teacher or administrator or to perform other educational functions, including, without limitation, a qualified provider for the required education and training of teachers and administrators pursuant to an alternative route to licensure approved by the Commission.
- Requires the evaluation to include, without limitation, for each provider the number of persons: Who received a license under the provisions of the bill after completing the course of study or training offered by the provider; and who are employed by a school district or a charter school in this State after receiving a license; and information relating to the performance evaluations of those persons conducted by the school district or charter school. The information relating to the performance evaluations must be reported in an aggregated format and not reveal the identity of a person.
- Requires the Department to post on its Internet website the evaluations conducted for each provider.
- Requires the Commission on Professional Standards to adopt regulations that include, without limitation, the qualifications for licensing teachers and administrators pursuant to an alternative route to licensure which provides that the required education and training may be provided by any qualified provider that has been approved by the Commission, including, without limitation, institutions of higher education and other providers that operate independently of an institution of higher education.
- The regulations adopted by the Commission must: Establish the requirements for approval as a qualified provider; Require a qualified provider to be selective in its acceptance of students; Require a qualified provider to provide supervised, school-based experiences and ongoing support for its students, such as mentoring and coaching; Significantly limit the amount of course work required or provide for the waiver of required course work for students who achieve certain scores on tests; Allow for the completion in 2 years or less of the education and training required under the alternative route to licensure; Provide that a person who has completed the education and training required under the alternative route to licensure and who has satisfied all other requirements for licensure may apply for a regular license regardless of whether the person has received an offer of employment from a school district, charter school or private school; and upon the completion by a person of the education and training required under the alternative route to licensure and the satisfaction of all other requirements for licensure, provide for the issuance of a regular license to the person.
- Requires the Commission on Professional Standards in Education, on or before December 31, 2011, to adopt the required regulations of the bill.
- Act becomes effective on July 1, 2011.

State Board/Department of Education Action Required

Department staff will work cooperatively with the Commission on Professional Standards in Education to develop the required regulations within the timeline established by the bill. The Office of Teacher Licensure shall develop a proposed plan to evaluate the program providers and collect the information identified in the bill by December 31, 2011. An implementation date will be determined once the evaluation plan is developed.

Primary Department Contact

Jerry Barbee, Office of Teacher Licensure, Telephone Number: (702) 486-6455

**Assembly Bill 233- Revises provisions governing the circumstances under which a pupil may receive credit for a course of study without attending the course.**

Summary of Statute Changes

- The bill provides that a pupil may be granted credit in lieu of course attendance if the pupil demonstrates proficiency on an examination developed by the principal and the pupil's teacher who provides instruction in the course or passes an examination that the principal determines is as rigorous or more rigorous than the examination prescribed by the State Board.
- Requires the State Board to adopt regulations that prescribe the: Form on which a pupil may apply to the board of trustees of a school district in which the pupil attends school to be granted credit; Courses of study for which pupils may be granted credit; and the minimum score on the examination prescribed within the bill that is required to demonstrate proficiency in a course.
- Requires the State Board, on or before December 31, 2011, to adopt the regulations
- The Act became effective upon passage and approval on July 1, 2011.

State Board/Department of Education Action Required

Department staff will work with the State Board to revise the current regulations to incorporate the new requirements identified within the bill by the required deadline.

Primary Department Contact

Carol Crothers, Office of Assessment, Program Accountability & Curriculum, Telephone Number: (775) 687-9186

**Assembly Bill 257 -Revises provisions relating to the Open Meeting Law.**

Summary of Statute Changes

- This bill revises the requirements by which a public body (which includes the state board of education, school district boards of trustees and charter school governing boards) must provide for public comment and discussion of public comments during all meetings of the public body held under the Open Meeting Law provisions of the state.
- Specifically requires that comments by the general public must be taken: At the beginning of the meeting before any items on which action may be taken are heard by the public body and again before the adjournment of the meeting; or after each item on the agenda on which action may be taken is discussed by the public body, but before the public body takes action on the item.
- Specifies that the revised public comment provisions of the bill do not prohibit a public body from taking other comments by the general public in addition to what is required by the bill.
- Specifies that regardless of which method the public body takes comments from the general public, the public body must allow the general public to comment on any matter that is not specifically included on the agenda as an action item at some time before adjournment of the meeting. No action may be taken upon a matter raised during a period devoted to comments by the general public until the matter itself has been specifically included on an agenda.
- The Act becomes effective July 1, 2011.



State Board/Department of Education Action Required

School districts and charter schools will be notified about the provisions of the bill prior to July 1, 2011.

Primary Department Contact

Keith Rheault, Superintendent of Public Instruction, Telephone Number: (775) 687-9217

**Assembly Bill 290 - Revises provisions governing pupils enrolled in high school.**

Summary of Statute Changes

- The bill authorizes the principal of a high school or the principal's designee to postpone the administration of the high school proficiency examination in the subject area of mathematics or science, or both, for a pupil enrolled in grade 10 for not more than 1 year.
- The postponement of the testing for the 10<sup>th</sup> grade pupil can only be done if: the principal or the principal's designee and the pupil's teacher who provides instruction in the applicable subject area determine, based upon the criteria for grading established by the school district for the applicable subject area, that the pupil is not academically ready to take the examination; and the parent or legal guardian of the pupil agrees in writing that the pupil is not academically ready for that subject area of the examination.
- Requires that if the administration of the examination is postponed, the pupil's academic plan for high school must be revised to ensure that: the pupil is enrolled in or scheduled to enroll in the appropriate course work for his or her grade level and receives the necessary preparation to enable the pupil to take the subject area of the high school proficiency examination which was postponed; and the pupil participates in the statewide program to prepare pupils for the high school proficiency examination or enrolls in a course of study offered by the board of trustees of the school district designed to assist pupils with passing the high school proficiency examination.
- Requires the board of trustees of each school district, on or before July 1 of each year, to submit a report to the Department and the Legislative Committee on Education indicating the number of pupils for whom the administration of the high school proficiency examination is postponed in the immediately preceding school year and a notation indicating whether the administration was postponed for the subject area of mathematics or science, or both.
- The Act becomes effective July 1, 2011.

State Board/Department of Education Action Required

School districts and charter schools will be notified about the provisions of the bill prior to July 1, 2011.

Primary Department Contact

Carol Crothers, Office of Assessment, Program Accountability & Curriculum, Telephone Number: (775) 687-9186

**Assembly Bill 316 -Revises provisions relating to services for persons with autism spectrum disorders.**

Summary of Statute Changes

- Requires the Aging and Disability Services Division of the Department of Health and Human Services, in cooperation and guidance with the Department of Education, representatives of the school districts in this State and the Nevada Autism Task Force, to prescribe a statewide standard for measuring outcomes and assessing and evaluating persons with autism spectrum disorders through the age of 21 years for the purposes of receiving services through certain public programs in this State.
- Requires the board of trustees of a school district or the governing body of a charter school to conduct an initial evaluation of each pupil with autism spectrum disorder and to conduct a reevaluation once every 3 years thereafter in accordance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., and the regulations prescribed by the State Board of Education.

- Requires the board of trustees of a school district or the governing body of a charter school to ensure that each person who conducts an evaluation of a pupil with autism spectrum disorder is provided with technical assistance and training to improve the accuracy and efficiency in conducting such evaluations.
- Requires the Department of Education to report annually to the Aging and Disability Services Division of the Department of Health and Human Services information relating to pupils with autism spectrum disorders. The information must be submitted in the form required by the Aging and Disability Services Division and include the total number of pupils with autism spectrum disorders who are enrolled in public schools in this State, including all pupils with autism spectrum disorders who have an individualized education program. A pupil with autism spectrum disorder who is designated as a pupil with more than one physical or mental impairment or disability must be included as a pupil with autism spectrum disorder for the purposes of reporting information.
- The Act becomes effective July 1, 2011.

State Board/Department of Education Action Required

Department staff shall notify school districts and charter schools of the new provisions of the bill by July 1, 2011. Department staff will work with the Aging and Disability Services Division to identify the format that the required information must be provided in. **Note:** the provisions of AB 316 in relation to actions required of the Department of Education, school districts and charter schools persons with autism spectrum disorders appears to be identical to the requirements specified in AB 345, therefore, no summary of AB 345 is provided in this document.

Primary Department Contact

Rorie Fitzpatrick, Office of Special Education, ESEA and School Improvement, Telephone Number: (775) 687-9140

**Assembly Bill 318 - Places the burden of proof and the burden of production on a school district in a due process hearing held pursuant to the Individuals with Disabilities Education Act.**

Summary of Statute Changes

- Requires that whenever a due process hearing is held pursuant to the Individuals with Disabilities Education Act regarding the identification, evaluation, reevaluation, classification, educational placement or disciplinary action of or provision of a free appropriate public education (FAPE) to a pupil with a disability, and a school district is a party, the school district has the burden of proof and the burden of production.
- The Act becomes effective July 1, 2011.

State Board/Department of Education Action Required

Department staff shall notify school districts and charter schools of the new provisions of the bill by July 1, 2011.

Primary Department Contact

Rorie Fitzpatrick, Office of Special Education, ESEA and School Improvement, Telephone Number: (775) 687-9140

**Assembly Bill 376 - Makes various changes regarding the financing of certain local improvements with revenue pledged from sales and use taxes.**

Summary of Statute Changes

- Only Section 12 of this bill directly affects school districts as it relates to the issuance of certain general obligation bonds and the fact that at the time the bonds are issued, the board of trustees must establish in its debt service fund a reserve account for payment of the outstanding bonds of the school district.
- Specifically, the bill changes the amount of the reserves required to 10 percent of the outstanding principal or 25 percent for a school district located in a county whose population is 100,000 or more and 50 percent for a school district located in a county whose population is less than 100,000 of the amount of principal and interest payments due on all outstanding bonds of the school district in the next fiscal year, whichever is less.
- Section 12 of the Act became effective upon passage and approval of the bill.

State Board/Department of Education Action Required

Department staff shall notify school districts of the new provisions of the bill by July 1, 2011.

Primary Department Contact

Keith Rheault, Superintendent of Public Instruction, Telephone Number: (775) 687-9217

**Assembly Bill 393 - Requires criminal background investigations of educational personnel upon renewal of a license.**

Summary of Statute Changes

- Requires the board of trustees of each school district and the governing body of each charter school to adopt a policy which requires a licensed employee of the school district or charter school to report to the school district or charter school if the employee is arrested for or convicted of a crime. The policy must include, without limitation, an identification of: the crimes for which an arrest or conviction must be reported; the person to whom the report must be made; and the time period after the arrest or conviction in which the report must be made.
- Requires an applicant for renewal of an educational license issued by the Superintendent of Public to undergo a subsequent background investigation of his or her criminal history upon renewal of the license.
- Requires the Commission on Professional Standards in Education to set the fees for renewal of a license to include the fees for processing the fingerprints of the applicant for renewal by the Central Repository and the Federal Bureau of Investigation.
- Stipulates that provisions of the bill become effective on July 1, 2011 for the purposes of adopting regulations and policies and performing any other preparatory administrative tasks and on January 1, 2012, for all other purposes.

State Board/Department of Education Action Required

Department staff shall notify the Human Resources Departments of school districts and Charter Schools of the change in law for information purposes by July 1, 2011 and post the new requirement on the Internet website maintained by the Department no later July 31, 2011.

Primary Department Contact

Jerry Barbee, Office of Teacher Licensure, Telephone Number: (702) 486-6455

**Assembly Bill 395 - Creates a separate category of licensure to teach special education.**

Summary of Statute Changes

- The bill creates a separate category of licensure to teach special education.
- Requires Commission on Professional Standards in Education adopt regulations to include provisions for the reciprocal licensure of persons who hold a license to teach special education.
- This act becomes effective on July 1, 2011.

State Board/Department of Education Action Required

Department staff will work with the Commission on Professional Standards in Education to determine how the new category of licensure will affect the issuance of special education licenses and endorsements in Nevada and review current reciprocal licensure regulations to reflect the new category of licensure.

Primary Department Contact

Jerry Barbee, Office of Teacher Licensure, Telephone Number: (702) 486-6455

**Assembly Bill 455 - Revises provisions governing the participation by pupils and youths in certain sports activities.**

Summary of Statute Changes

- Requires the Nevada Interscholastic Activities Association to adopt a policy concerning the prevention and treatment of injuries to the head which may occur during a pupil's participation in interscholastic activities and events, including, without limitation, concussion of the brain. The policy must provide information concerning the nature and risk of injuries to the head which may occur during a pupil's participation in interscholastic activities and events, including, without limitation, the risks associated with continuing to participate in the activity or event after sustaining such an injury.
- The policy must require that a pupil who sustains or is suspected of sustaining an injury to the head while participating in such an activity or event: to be immediately removed from the activity or event; and may not return to the activity or event unless the parent or legal guardian of the pupil provides a written statement from a provider of health care indicating that the pupil is medically cleared to participate and the date on which the pupil may return to the activity or event.
- Requires that a pupil who participates in interscholastic activities and events and his or her parent or legal guardian must sign a form acknowledging that they have received a copy of the policy and understand its terms and conditions before the pupil's participation in the activity or event and must sign the form on an annual basis thereafter.
- Requires the board of trustees of each school district to adopt a similar policy for the participation of pupils in competitive sports within the school district which are not governed by the Association.
- This act becomes effective on July 1, 2011.

State Board/Department of Education Action Required

Department staff shall notify school districts and charter schools of the new provisions of the bill by July 1, 2011.

Primary Department Contact

Keith Rheault, Superintendent of Public Instruction, Telephone Number: (775) 687-9217

**Assembly Bill 493 - Provides a temporary waiver from certain minimum expenditure requirements for school districts, charter schools and university schools for profoundly gifted pupils.**

Summary of Statute Changes

- The bill extends the temporary waiver authorized by Assembly Bill No. 5 of the 26th Special Session to June 30, 2013 regarding the minimum expenditure requirements for textbooks, instructional supplies, instructional software and instructional hardware by school districts, charter schools and the university schools for profoundly gifted pupils without requiring the entities to submit a request for such a waiver.
- The bill provides a temporary waiver for the 2011-2013 biennium to each school district from the minimum expenditure requirements under state law for library books, software for computers, the purchase of equipment relating to instruction and the maintenance and repair of equipment, vehicles, and buildings and facilities. The provisions of this temporary waiver apply retroactively to July 1, 2009, in the same manner as the temporary waiver on the minimum expenditure requirements for textbooks, instructional supplies, instructional software and instructional hardware.
- This act becomes effective upon passage and approval.

State Board/Department of Education Action Required

Department staff shall notify school districts, charter schools and the university schools for profoundly gifted pupils of the temporary waivers to expenditures by July 1, 2011.

Primary Department Contact

Roger Rahming, Office of Finance and Planning, Telephone Number: (775) 687-9234

**Assembly Bill 498 - Eliminates the requirement for the administration of norm-referenced examinations in public schools.**

Summary of Statute Changes

- This bill permanently eliminates the statutory requirement for the administration of norm-referenced examinations in grades 4, 7 and 10 and revises existing law to delete references to the norm-referenced examinations.
- This act becomes effective upon passage and approval.

State Board/Department of Education Action Required

No plan of action required. School districts and charter schools will be notified about the provisions of the bill prior to July 1, 2011.

Primary Department Contact

Carol Crothers, Office of Assessment, Program Accountability & Curriculum, Telephone Number: (775) 687-9186

**Assembly Bill 527 - Makes an appropriation for the implementation and operation of a principal leadership training program.**

Summary of Statute Changes

- This bill makes an appropriation of \$100,000 to the Department of Administration to contract with the Clark County Public Education Foundation to implement and operate a principal leadership training program.

- Specifies that the money may only be released upon receipt of evidence that the Clark County Public Education Foundation has matched or exceeded the \$100,000 from other sources.
- Requires the Foundation to work in cooperation with the 17 school districts, other public education foundations in this State, and the Regional Professional Development Programs to design and implement the principal leadership training program.
- Requires the Foundation to prepare and transmit a report to the Director of the Legislative Counsel Bureau for transmission to the Interim Finance Committee on or before December 15, 2012, that describes each expenditure made from the money appropriated and received through December 1, 2012
- Requires the preparation and transmittal of a final report to the Director of the Legislative Counsel Bureau for transmittal to the Interim Finance Committee on or before September 20, 2013, that describes each expenditure made from the money appropriated and received through June 30, 2013.
- This act becomes effective upon passage and approval.

State Board/Department of Education Action Required

School districts and charter schools will be notified about the provisions of the bill prior to July 1, 2011.

Primary Department Contact

Keith Rheault, Superintendent of Public Instruction, Telephone Number: (775) 687-9217

**Assembly Bill 551 - Requires school districts to assess the feasibility of consolidation of services, functions and personnel.**

Summary of Statute Changes

- Requires the board of trustees of each school district to determine whether consolidating or sharing services, functions or personnel with other school districts is feasible to include, without limitation: Purchasing; Accounting; Recruiting; Transportation; Chief financial officer; Human resources director; and Superintendent of schools.
- Authorizes the board of trustees of each school district in this State to develop a cost-effective and efficient method for the sharing of services, functions or personnel and also authorizes a school district to join in the contract of another school district with which it has entered into an agreement for the sharing of services, functions or personnel.
- Requires the Committee on Local Government Finance to adopt regulations before July 1, 2011 to assist the boards of trustees in consolidating or sharing services, functions or personnel.
- Requires the board of trustees of each school district, on or before July 1, 2012, and on or before July 1, 2013, to submit a report to the Director of the Legislative Counsel Bureau for transmittal to the Legislature and the Interim Finance Committee that includes, without limitation, the following information: An explanation of the board of trustees' determination regarding the feasibility of consolidating or sharing services, functions or personnel with other school districts; If the board of trustees consolidated or shared any service, function or personnel, an explanation of the impact and cost savings, if any, that the consolidation or sharing has had on the school district; Has not consolidated or shared any service, function or personnel, an explanation of why the board of trustees determined that such consolidation or sharing is not in the best interests of the school district.
- This act becomes effective on July 1, 2011.

State Board/Department of Education Action Required

No plan of action required. School districts will be notified about the provisions of the bill prior to July 1, 2011.

Primary Department Contact

Greg Weyland, Deputy Superintendent, Telephone Number: (775) 687-9102

**Assembly Bill 579 - Ensures sufficient funding for K-12 public education for the 2011-2013 biennium.**Summary of Statute Changes

- Provides the basic support guarantee for school districts for Fiscal Year 2011-2012 (FY12) at \$5,263 (estimated weighted average per pupil) and for Fiscal year 2012-2013 (FY13) at \$5,373 per pupil.
- Specifies that for each respective school district, the basic support guarantee per pupil for FY12 is: Carson City \$5,992; Churchill \$6,053; Clark \$5,136; Douglas \$5,237; Elko \$6,314; Esmeralda \$18,403; Eureka \$100; Humboldt \$5,718; Lander \$100; Lincoln \$9,815; Lyon \$6,613; Mineral \$8,439; Nye \$6,572; Pershing \$8,987; Storey \$6,914; Washoe \$5,193; and White Pine \$6,560.
- Specifies that for purposes of establishing the basic support guarantee, the estimated basic support guarantees per pupil as adjusted for estimated Ad Valorem for each school district for FY13 is: Carson City \$6,100; Churchill \$6,089; Clark \$5,249; Douglas \$5,313; Elko \$6,412; Esmeralda \$18,393; Eureka \$100; Humboldt \$5,841; Lander \$100; Lincoln \$9,980; Lyon \$6,715; Mineral \$8,591; Nye \$6,692; Pershing \$9,086; Storey \$6,975; Washoe \$5,310; and White Pine \$6,646.
- Specifies that upon receipt of the certified total of ad valorem taxes to be received by each school district for FY13, the Superintendent of Public Instruction shall recalculate the ad valorem adjustment and the tentative basic support guarantee for operating purposes for each school district for FY13 based on the certified total of ad valorem taxes provided by the Executive Director of the Department of Taxation. The recalculated basic support guarantee must be calculated before May 31, 2012.
- Provides the basic support for 3,049 special education units at \$39,768 per unit in FY12 and 3,049 special education units at \$39,768 in FY13. Authorizes 40 special education program units for each year of the biennium to be reserved by the State Board to meet additional needs that cannot be met through the regular allocations of special education units.
- Authorizes the State Board of Education to spend \$158,414 in FY12 and \$162,163 in FY13 from the State Distributive School Account for instructional programs incorporating educational technology for gifted and talented pupils. Any school district may submit an application to the department requesting an allocation for gifted and talented pupils. The Department of Education will award the gifted and talented amounts based on the review of all applications received from school districts.
- Provides funds for adult high school diploma programs in the amount of \$17,011,957 in FY12 and \$17,758,916 in FY13. Funding to be distributed in accordance with a plan or formula developed by the Department of Education to ensure the funds are distributed equitably and in a manner that permits accounting of expenditures of school districts.
- Provides \$50,000 to each school district for each year of the biennium for special counselor services for elementary pupils at risk of failure.
- Appropriates \$3,338,875 in FY12 and \$3,338,875 in FY13 to be used by the Department of Education for competitive state grants to school districts and community-based organizations for early childhood education programs. Funds to be distributed through application to the Department and requires an annual written report by the Department.
- Requires the Department of Education to develop statewide performance and outcome indicators to measure the effectiveness of the early childhood education programs. The indicators must include, without limitation: longitudinal measures of the developmental progress of children before and after their completion of the program; longitudinal measures of parental involvement in the program before and after completion of the program; and the percentage of participants who drop out of the program before completion.
- Requires the Department of Education to provide, on an annual basis, a written report to the Governor, the Legislative Committee on Education and the Legislative Bureau of Educational Accountability and Program Evaluation regarding the effectiveness of the early childhood education programs for which grants of money were received.
- Provides \$128,541 each fiscal year to be used to reimburse school districts for the additional costs of transportation for pupils outside the school district in which the pupils residence is located.

- Provides \$18,798 each fiscal year to be used to reimburse school districts to pay the increase of salaries of professional school library media specialists. Specifies that the funds are available for either fiscal year.
- Allocates funding to continue the class-size reduction program during the biennium. For FY12, an amount equal to \$140,768,048 was appropriated to pay the salaries and benefits of not less than 2,127 teachers and \$144,222,019 for FY13 to pay the salaries and benefits of not less than 2,144 teachers.
- Stipulates that available money for the class-size reduction program is estimated to provide a sufficient number of teachers, during the biennium, to achieve in each school district pupil-teacher ratios of 16 pupils per teacher in grades 1 and 2, and to achieve a pupil-teacher ratio in grade 3 of 19 pupils per teacher, however, in recognition of the significant downturn in the national and state economies and to allow school districts flexibility in addressing budget shortfalls during this fiscal crisis, a school district may, for the 2011-2012 school year and the 2012-2013 school year, elect to increase the class size by not more than two pupils per teacher to achieve ratios of 18 pupils per teacher in grades 1 and 2, and 21 pupils per teacher in grade 3.
- If a school district elects to increase class size as authorized to address the downturn in the national and state economies, all money that would have otherwise been expended by the school district to achieve the class sizes must be used to minimize the impact of budget reductions on class sizes in grades 4 to 12.
- Appropriates \$7,955,911 in FY12 and \$7,563,582 in FY13 from the State General Fund to the Other State Education Programs Account of the Department of Education. The amounts appropriated to finance specific programs are available for both Fiscal Years and may be transferred from one fiscal year to the other with the approval of the Interim Finance Committee upon the recommendation of the Governor for the following specific programs:
  - A total of \$54,870 each year of the biennium for successful completion of the National Board Teacher Certification Program;
  - A total of \$668,742 each year of the biennium for Counselor National Board Certification;
  - A total of \$449,142 each year of the biennium for LEA library books; and
  - A total of \$1,912,241 each year of the biennium for educational technology.
  - A total of \$3,543,822 each year of the biennium for career and technical education.
- Included in the total appropriation of \$7,955,911 in FY12 and \$7,563,582 in FY13 in the Other State Education Programs Account of the Department of Education, but not specifically identified in the bill, are the following programs: (It is noted that unencumbered balances for the programs identified below revert to the State General Fund at the end of each fiscal year and may not be transferred from one fiscal year to the other.)
  - A total of \$392,329 for FY12 only for the KLVX statewide educational technology program;
  - A total of \$106,998 each year of the biennium for Vocational Student Organizations;
  - A total of \$26,674 each year of the biennium for Peer Mediation Programs;
  - A total of \$229,725 each year of the biennium for Public Broadcasting Programs;
  - A total of \$44,583 each year of the biennium for Project GAIN;
  - A total of \$526,785 each year of the biennium for Speech Pathologist National Certification;
- Appropriates \$31,726,287 in FY12 and \$32,209,593 in FY13 from the State General Fund to the Account for Programs for Innovation and the Prevention of Remediation.
  - From the total appropriation made to the Account for Programs for Innovation and the Prevention of Remediation, \$24,165,339 in FY12 and \$24,648,645 in FY13 is provided for the continuation of the full-day kindergarten program established pursuant to Assembly Bill No. 4 of the 22nd Special Session in 2005.
  - The remaining funds allocated to the Account for Programs for Innovation and the Prevention of Remediation totaling \$7,560,948 in FY12 and \$7,560,948 in FY13 are designated for the professional development of teachers and administrators. For each year of the biennium, a total of: \$3,983,356 will be transferred to the Clark County School District; \$1,335,736 will be transferred to the Elko County School District; and \$2,141,856 will be transferred to the Washoe County School District. In addition, the Department will transfer \$100,000 each year of the biennium to the Statewide Council



for the Coordination of the Regional Training Programs for additional training opportunities for educational administrators in Nevada.

- Requires the Department of Education to distribute the funds appropriated for full-day kindergarten to school districts that elect to provide full-day kindergarten. A school district that elects to participate in the program shall use the money to provide full-day kindergarten in each school within the school district that is prioritized for full-day kindergarten based upon the percentage of pupils enrolled in the school who are eligible for free or reduced price lunches.
- Specifies that a school district shall allocate the money by assigning first priority to those schools within the school district that have the highest percentage of pupils who are eligible for free or reduced price lunches.
- Allows a parent or legal guardian of a pupil who is otherwise zoned to attend a public school that provides full-day kindergarten to request that the pupil not be enrolled in full-day kindergarten. The school district in which the pupil is enrolled shall grant the request and ensure that the pupil is allowed to attend kindergarten, whether at the zoned school or another school, for less than a full day.
- Authorizes the carry forward of any money remaining in the Grant Fund for Incentives for Licensed Educational Personnel at the end of FY11 to FY12. The money must be used for the purchase of the one-fifth of a year of retirement service credit and other financial incentives for the 2010-11 school year. Any money not committed for expenditure after June 30, 2012 must be reverted to the State General Fund.
- Provides \$13,442,796 in FY12 and \$15,855,905 in FY13 to support the purchase of the one-fifth of a year of retirement service credit and other financial incentives for certain licensed educational personnel. Any money not committed for expenditure after June 30, 2013 must be reverted to the State General Fund.
- Delays the use of funds from the State Supplemental School Support Fund (3% room tax revenue) to school districts and charter schools until on or after July 1, 2013 and allows for the transfer of funds to school districts and charter schools beginning on February 1, 2014.
- All provisions of this Act become effective on July 1, 2011 except that the funding for the Class size reduction program for the 2012-13 school year become effective on July 1, 2012.

#### State Board/Department of Education Action Required

Distribution of funds allocated through this bill will follow the same guidelines and procedures used to distribute the funds as in previous years.

#### Primary Department Contact

Greg Weyland, Deputy Superintendent, Telephone Number: (775) 687-9102 (Teacher Retirement Credits, Public Broadcasting, Project GAIN, and Counselor/Speech Pathologist 5% Bonus,)

Roger Rahming, Office of Finance and Planning, Telephone Number: (775) 687-9234 (Distributive School Account, Class Size Reduction, Full Day Kindergarten, and Regional Professional Development Programs)

Mike Raponi, Office of Career, Technical & Adult Education, Telephone Number: (775) 687-9144. (Adult Education, Vocational Student Organizations, and Career and Technical Education)

Carol Crothers, Office of Assessment, Program Accountability & Curriculum, Telephone Number: (775) 687-9186 (Education Technology, LEA Library Books)

Rorie Fitzpatrick, Office of Special Education, ESEA and School Improvement, Telephone Number: (775) 687-9140 (Special Education, Gifted and Talented, Early Childhood, Peer Mediation)

Jerry Barbee, Office of Teacher Licensure, Telephone Number: (702) 486-6455 (National Board Teacher Certification Program)

## SENATE BILLS

### **Senate Bill 11 – Directs the Legislative Commission to appoint a committee to conduct an interim study concerning the development of a new method for funding public schools.**

#### Summary of Statute Changes

- Requires the Legislative Commission to appoint a committee to conduct an interim study concerning the development of a new method for funding public schools in this State.
- Specifies that the committee must be composed of six Legislators as follows: Three members appointed by the Majority Leader of the Senate, at least one of whom must be appointed from the membership of the Senate Standing Committee on Education during the 76th Session of the Nevada Legislature; and three members appointed by the Speaker of the Assembly, at least one of whom must be appointed from the membership of the Assembly Standing Committee on Education during the 76<sup>th</sup> Session of the Nevada Legislature.
- Requires the committee to consult with and solicit input from individuals and organizations with expertise in matters relevant to the purpose of developing a new method for funding public schools in this State. Specifies that any such method proposed by the committee must be consistent with the constitutional responsibility of the Legislature to provide for a uniform system of common schools and account for, and be based on, differences in the needs and characteristics of individual students.
- Requires the committee to submit a report on its findings, including, without limitation, any proposed methods for funding public schools in this State and any recommendations for legislation, to the 77th Session of the Nevada Legislature.
- Stipulates that the committee shall carry out the duties of this section only to the extent that money is available to do so from sources including, without limitation, gifts, grants and donations.
- This act becomes effective on July 1, 2011.

#### State Board/Department of Education Action Required

Department staff will provide school funding information, as needed, to the Committee and will participate in the meetings of the Committee once scheduled.

#### Primary Department Contact

Greg Weyland, Deputy Superintendent, Telephone Number: (775) 687-9102

Roger Rahming, Office of Finance and Planning, Telephone Number: (775) 687-9234

### **Senate Bill 14 - Requires the State Board of Education to develop a model curriculum for English language arts and mathematics.**

#### Summary of Statute Changes

- The bill requires the State Board to develop a model curriculum for English language arts and mathematics for kindergarten and grades 1 to 12, inclusive, which are the two subject areas currently covered by the Common Core Standards.
- Requires the Department of Education to provide each model curriculum to the board of trustees of each school district, the governing body of each charter school and the governing body of each regional training program for the professional development of teachers and administrators.
- Requires the board of trustees of each school district to make available to each public school within the school district the model curriculum for the grade levels taught at the public school.
- Stipulates that teachers and administrators may use the model curriculum as a guide in developing class lesson plans to ensure compliance with the academic standards adopted for English language arts and mathematics.

- Stipulates that the governing body of each regional training program may use the model curriculum in the training of teachers and administrators to ensure compliance with the academic standards adopted for English language arts and mathematics.
- This Act becomes effective on July 1, 2011.

State Board/Department of Education Action Required

Department staff will work on behalf of the State Board to develop the required curriculum models for approval and distribution no later than June 30, 2012.

Primary Department Contact

Carol Crothers, Office of Assessment, Program Accountability & Curriculum, Telephone Number: (775) 687-9186

**Senate Bill 35 – Revises provisions governing the automated system of accountability information for Nevada and the reporting of test scores by charter schools.**

Summary of Statute Changes

- The bill removes the requirement that the state automated system of accountability information (SAIN) have the capacity to identify which paraprofessionals are assigned to provide services to individual pupils and also removes the requirement that the information on pupil achievement maintained in the system be used to evaluate paraprofessionals.
- Revises the manner in which the achievement results of pupils on the state required criterion-referenced examinations and the high school proficiency examination are reported for charter schools by requiring the governing body of each charter school to submit the results and other required information through the sponsor of the charter school to the Department of Education.
- The Act became effective upon passage and approval on July 1, 2011.

State Board/Department of Education Action Required

All charter schools will be notified by July 1, 2011 of the provisions of bill.

Primary Department Contact

Keith Rheault, Superintendent of Public Instruction, Telephone Number: (775) 687-9217

**Senate Bill 38 – Revises provisions governing apportionments to school districts, charter schools and university schools for profoundly gifted pupils.**

Summary of Statute Changes

- The bill authorizes the Superintendent of Public Instruction to deduct from a quarterly apportionment if a school district, charter school or university school for profoundly gifted pupils fails to repay certain amounts due the Department of Education or pays a claim determined to be unearned, illegal or unreasonably excessive. The amount deducted must correspond to the amount due.
- Authorizes the Superintendent to withhold the full amount of a quarterly apportionment or a portion thereof if a school district, charter school or university school for profoundly gifted pupils fails to submit a report or other information that is required to be submitted to the Superintendent, State Board of Education or Department pursuant to a statute. If the required report or information is subsequently provided, the amount withheld must be immediately paid.
- Authorizes the Superintendent to withhold the amount due to the sponsor of a charter school from the quarterly apportionment otherwise payable to the charter school and transfer that amount to the sponsor of the charter school as payment on the claim.

- Authorizes a school district, charter school or university school for profoundly gifted pupils the ability to appeal to the State Board a decision of the Superintendent of Public Instruction to deduct or withhold from a quarterly apportionment. Requires the Secretary of the State Board to place the subject of the appeal on the agenda of the next meeting for consideration by the State Board.
- Provides that if the Department determines that a school district or charter school deliberately causes a decline in the enrollment of pupils in the school district or charter school to receive a higher apportionment (hold harmless provisions), including, without limitation, by eliminating grades or moving into smaller facilities, the enrollment number from the current school year must be used for purposes of apportioning money from the State Distributive School Account to the school district or charter school.
- Allows for adjustments to the quarterly apportionments if the Department determines as a result of an audit that a pupil is not properly enrolled in or attending a public school.
- The Act became effective upon passage and approval on July 1, 2011.

State Board/Department of Education Action Required

All school districts, charter schools and the university school for profoundly gifted pupils will be notified by July 1, 2011 of the provisions of bill.

Primary Department Contact

Keith Rheault, Superintendent of Public Instruction, Telephone Number: (775) 687-9217

**Senate Bill 196 - Revises provisions governing empowerment schools.**

Summary of Statute Changes

- Existing law that established the Program of Empowerment Schools imposed a cap on the number of empowerment schools that may be established statewide at 100 schools. The bill removes the cap.
- Existing law provided for the prospective expiration of the Program of Empowerment Schools on June 30, 2011. The bill removes the prospective expiration date of the Program.
- The Act became effective upon passage and approval on June 1, 2011.

State Board/Department of Education Action Required

No plan of action to be developed. District information only.

Primary Department Contact

Keith Rheault, Superintendent of Public Instruction, Telephone Number: (775) 687-9217

**Senate Bill 197 - Revises provisions governing the system of governance and oversight of public education**

Summary of Statute Changes

- Removes the provisions creating the 10-member elected State Board of Education and provides for the creation of a new board consisting of seven voting members and four non-voting members whose terms will commence on January 8, 2013.
- Identifies the following seven voting members as: One member elected by the registered voters of each congressional district in the state (4 members total); One member appointed by the Governor; One member appointed by the Governor that is nominated by the Majority Leader of the Senate; and one member appointed by the Governor that is nominated by the Speaker of the Assembly.
- Identified the following four nonvoting members as: One member appointed by the Governor who is a member of a board of trustees of a school district that is nominated by the Nevada Association of School Boards; One member appointed by the Governor who is the superintendent of schools of a school district that is nominated by the Nevada Association of School Superintendents; One member appointed by the Governor who represents the Nevada System of Higher Education that is nominated by the Board of

Regents of the University of Nevada; and one member appointed by the Governor who is a pupil enrolled in a public school in this State and is nominated by the Nevada Association of Student Councils or its successor organization and in consultation with the Nevada Youth Legislature.

- Specifies that each elected member of the State Board must be a qualified elector of the district from which that member is elected and, after the initial term, will serve a four year term. A member may be elected to serve not more than three terms but may be allowed to serve additional years as an appointed member notwithstanding the number of terms the member served as an elected member.
- Requires the Governor to ensure that the appointed members represent the geographic diversity of this State and that one member is a teacher at a public school, one member is the parent or legal guardian of a pupil enrolled in a public school, and one member is a person active in a private business or industry of this State.
- Specifies that if a vacancy occurs on the State Board during the term of a voting or non-voting member, the vacancy must be filled in the same manner as the original appointment for the remainder of the unexpired term.
- Specifies that the Superintendent of Public Instruction is to be appointed by the Governor from a list of three candidates submitted by the State Board and serves at the pleasure of the Governor. The Superintendent of Public Instruction is in the unclassified service of the State under the Executive Department of State Government.
- Revises the qualifications and duties of the Superintendent of Public Instruction to include: provide that the Superintendent is the educational leader for the system of K-12 public education in this State; require the Superintendent to enforce the observations of statutes and regulations governing K-12 public education; and request a plan of corrective action if the Superintendent determines that a school district or charter school has not complied with those statutes and regulations.
- Revises the plan to improve the academic achievement of pupils enrolled in public schools, to require the State Board, in developing the plan, to establish clearly defined goals and benchmarks for improving the achievement of pupils and prescribes those goals and benchmarks.
- Requires the Superintendent of Public Instruction, in conjunction with the State Board, to prepare an annual report of the state of public education in this State. The report must include, without limitation; An analysis of each annual report of accountability prepared by the State Board; An update on the status of K-12 public education in this State; A description of the most recent vision and mission statements of the State Board and the Department, including, without limitation, the progress made by the State Board and Department in achieving those visions and missions; A description of the goals and benchmarks for improving the academic achievement of pupils which are included in the plan to improve the achievement of pupils; An analysis of the progress the public schools have made in the previous year toward achieving the goals and benchmarks; An analysis of whether the standards and examinations adopted by the State Board adequately prepare pupils for success in postsecondary educational institutions and in career and workforce readiness; An analysis of the extent to which school districts and charter schools recruit and retain effective teachers and principals; An analysis of the ability of the automated system of accountability information for Nevada established to link the achievement of pupils to the performance of the individual teachers assigned to those pupils and to the principals of the schools in which the pupils are enrolled; An analysis of the extent to which the lowest performing public schools have improved the academic achievement of pupils enrolled in those schools; A summary of the innovative educational programs implemented by public schools which have demonstrated the ability to improve the academic achievement of pupils; and a description of any plan of corrective action requested by the Superintendent of Public Instruction from the board of trustees of a school district or the governing body of a charter school and the status of that plan.
- Specifies that in odd-numbered years, the Superintendent of Public Instruction shall present the report in person to the Governor and each standing committee of the Legislature with primary jurisdiction over matters relating to K-12 public education at the beginning of each regular session of the Legislature and in even-numbered years, the Superintendent of Public Instruction shall, on or before January 31, submit a written copy of the report to the Governor and to the Legislative Committee on Education.

- Clarifies that the Superintendent of Public Instruction is responsible for ensuring that the duties and responsibilities of the Commission on Educational Excellence, the Advisory Council on Parental Involvement, the Commission on Educational Technology, the Council on Academic Standards, the Commission on Professional Standards in Education, and the Statewide Council for the Coordination of the Regional Training Programs are carried out successfully by the Commissions and Councils.
- Requires the Commission on Professional Standards in Education to submit an annual report to the State Board and the Legislative Committee on Education describing the status of the regulations adopted by the Commission and a work plan designating the proposed activities of the Commission during the next year.
- Removes the Churchill County School District from the jurisdiction of the Northeastern Nevada Regional Training Program and places that School District within the jurisdiction of the Northwestern Nevada Regional Training Program, for which the Washoe County School District serves as the fiscal agent.
- Requires the Elko County School District to transfer from the Northeastern Nevada Regional Training Program to the Washoe County School District for the Northwestern Nevada Regional Training Program an appropriate sum of money to reflect the addition of the Churchill County School District to the Northwestern Nevada Regional Training Program.
- Requires the governing body of each regional training program for the professional development of teachers and administrators to establish an evaluation system for the teachers and other licensed educational personnel who participate in the program and prescribes the requirements of that evaluation system.
- The bill repeals Section 23 of Assembly Bill No. 579 of this session that provided for the funding of the regional training programs through the three school districts that serve as fiscal agents for the regional training programs and instead requires the Department of Education to transfer those sums to: (1) the three school districts that serve as fiscal agents for the regional training programs for the continued provision of professional development through their respective regional training programs; and (2) the Clark County School District and the Washoe County School District for the purchase of professional development for the teachers and administrators employed by those School Districts, which may include the purchase of professional development through the regional training program. Also requires the Clark County School District and the Washoe County School District to provide written notice to the regional training program on or before August 1, 2011, for the 2011-2012 Fiscal Year, and March 1, 2012, for the 2012-2013 Fiscal Year if the School District will purchase professional development through the regional training program.
- Unless otherwise noted in the summary, the majority of the act becomes effective on July 1, 2011 with the exception of the date in which new elected board members become eligible to file for election which becomes effective on January 1, 2012.

#### State Board/Department of Education Action Required

Department staff will work with the current state board to establish a timeline and work plan to address specific requirements for the revised annual report and state school improvement plan. State board will coordinate with the Governor's Office the transition from the current 10 member board to the new elected/appointed board.

#### Primary Department Contact

Keith Rheault, Superintendent of Public Instruction, Telephone Number: (775) 687-9217

### **Senate Bill 211 - Requires a legislative study of the implementation of the Common Core State Standards in the public schools in Nevada.**

#### Summary of Statute Changes

- The bill requires the Legislative Committee on Education to conduct a study to determine the extent to which: the curriculum and instruction for kindergarten through grade 12 in the public schools in this

State is transitioned to the Common Core State Standards; teachers and other licensed educational personnel are afforded sufficient professional development opportunities and resources to aid in the transition process to the Common Core State Standards; and a plan and a timeline have been established for transitioning Nevada's assessment system for the public schools to align with the Common Core State Standards.

- Requires that the study is to be conducted in consultation with the Nevada STEM Education Coalition, which is a statewide group of persons dedicated to improving education in science, technology, engineering and mathematics in Nevada.
- Requires the Committee to submit a report of the results of the study and any recommendations for legislation to the Director of the Legislative Counsel Bureau on or before February 1, 2013, for transmittal to the 77th Session of the Nevada Legislature.
- This act becomes effective on July 1, 2011.

State Board/Department of Education Action Required

Department of Education staff will actively participate in the study conducted by the Committee and provide information, as needed, to support the Committee

Primary Department Contact

Carol Crothers, Office of Assessment, Program Accountability & Curriculum, Telephone Number: (775) 687-9186

**Senate Bill 212** – Revises provisions governing charter schools

Summary of Statute Changes

- The bill creates the State Public Charter School Authority and stipulates that the Authority's purpose is to: Authorize charter schools of high-quality throughout this State; Provide oversight to the charter schools that it sponsors; and serve as a model of the best practices in sponsoring charter schools and foster a climate in this State in which all charter schools, regardless of sponsor, can flourish.
- Designates the State Public Charter School Authority as a local educational agency (LEA) for the purpose of directing the proportionate share of any money available from federal and state categorical grant programs to charter schools.
- Prescribes the membership of the State Public Charter School Authority as seven members consisting of: Two members appointed by the Governor; Two members, who must not be Legislators, appointed by the Majority Leader of the Senate; Two members, who must not be Legislators, appointed by the Speaker of the Assembly; and one member appointed by the Charter School Association of Nevada or its successor organization with terms commencing on January 1, 2012.
- Requires the appointments made by the Governor, the Majority Leader of the Senate and the Speaker of the Assembly to ensure that the membership of the State Public Charter School Authority includes: persons with a demonstrated understanding of charter schools and a commitment to using charter schools as a way to strengthen public education in this State; Includes a parent or legal guardian of a pupil enrolled in a charter school in this State; Persons with specific knowledge in certain areas of expertise; and, insofar as practicable, reflects the ethnic and geographical diversity of this State.
- Specifies that each member of the State Public Charter School Authority must be a resident of this State and that after the initial terms of appointment, the term of each member is 3 years, commencing on July 1 of the year in which he or she is appointed. A vacancy in the membership of the State Public Charter School Authority must be filled for the remainder of the unexpired term in the same manner as the original appointment.
- Removes the authority of the State Board of Education to sponsor charter schools and authorizes the State Public Charter School Authority to sponsor charter schools. Transfers the sponsorship of all charter schools sponsored by the State Board of Education to the State Public Charter School Authority. Specifies that a charter school that is approved to operate as a charter school sponsored by the State

Board of Education before January 1, 2012, shall be deemed to be sponsored by the State Public Charter School Authority on January 1, 2012.

- Transfers the duty to prepare an annual report of accountability information of each charter school in this State from the board of trustees of a school district to the sponsor of that charter school.
- Requires the State Public Charter School Authority, on or before August 15 of each year, to prepare an annual report of accountability of the charter schools sponsored by the Authority concerning the accountability information prescribed by the Department.
- Provides for the appointment of the Director of the State Public Charter School Authority. Requires the Governor to make the initial appointment of the Director to a term of 3 years on or after October 1, 2011. After initial appointment by the Governor, any future appointments of the Director will be made by the Authority.
- Provides for the transfer of certain personnel positions from the Department of Education to the State Public Charter School Authority on or before January 1, 2012.
- Allows for a proposed sponsor of a charter school to request that the Department of Education review an application before review by the proposed sponsor to determine whether the application is complete.
- Codifies into statute the provisions of existing administrative regulations of the Department of Education that set forth certain restrictions on contracts and proposed contracts between a charter school or proposed charter school and a contractor or an educational management organization.
- Specifies the yearly sponsorship fee for the sponsor of a charter school as an amount of money not to exceed 2 percent of the total amount of state funds apportioned to the charter school during the school year pursuant to NRS 387.124.
- Defines educational management organization.
- Repeals the statutes related to the Subcommittee on Charter Schools of the State Board of Education.
- Requires the Department of Education to, on or before October 1, 2011, transfer to the Account for the State Public Charter School Authority any unexpended money collected for reimbursement of the administrative costs associated with sponsorship of charter schools sponsored by the State Board.
- Unless otherwise noted, the Act becomes effective on July 1, 2011.

#### State Board/Department of Education Action Required

Department of Education staff will notify school districts and charter schools of the new requirements of the bill by July 1, 2011. Department staff will be available to provide technical assistance, as needed, to the Governor's Office and the new Director of the Charter School Authority in providing for a transition from the State Board sponsorship to full operation of the State Public Charter School Authority.

#### Primary Department Contact

Steve Canavero, Office of Charter Schools, Telephone Number: (775) 687-9160

**Senate Bill 229 – Revises provisions governing the policy adopted by the State Board of Education to encourage parental and family involvement in supporting the education of their children.**

#### Summary of Statute Changes

- Requires the State Board of Education to revise the previously adopted policy to encourage parental and family involvement to support the education of their children to include: (1) promotion of an atmosphere for parents and families to visit the school that their children attend and feel welcome, valued and connected to the staff of the school, other parents and families and to the education of their children; (2) promotion of regular, two-way, meaningful communication between parents, families and schools relating to learning by pupils; (3) collaboration among parents, families and schools to support learning by pupils and healthy development of pupils at home and school; (4) empowerment of parents and families to advocate for their children and the children of other parents and families to ensure that all pupils are treated fairly and have access to learning opportunities that support pupil achievement; (5)



promotion of an equal partnership between parents, families and schools in making decisions that affect children, parents and families; and (6) collaboration of parents, families and schools with the community.

- The provisions of the act become effective on July 1, 2011.

State Board/Department of Education Action Required

Department staff shall develop the draft policy no later than December 30, 2011, for possible adoption by the State Board. Each school district will be provided a copy of the adopted policy upon official adoption by the State Board.

Primary Department Contact

Rorie Fitzpatrick, Office of Special Education, ESEA and School Improvement, Telephone Number: (775) 687-9140

**Senate Bill 276 - Revises provisions governing safe and respectful learning environments in public schools.**

Summary of Statute Changes

- Revises the components of the annual reports of accountability prepared by the State Board of Education and the boards of trustees of school districts to include reports on incidents resulting in suspension or expulsion for bullying, cyber-bullying, harassment and intimidation.
- Requires the Department of Education, to the extent money is available, to develop an informational pamphlet to assist pupils and the parents or legal guardians of pupils in resolving incidents of bullying, cyber-bullying, harassment and intimidation.
- Requires the Department to establish a program of training on the prevention of bullying, cyber-bullying, harassment and intimidation for members of the State Board and to recommend a program of training for members of the boards of trustees of school districts and school district personnel.
- Requires each member of the State Board and authorizes each member of a board of trustees to complete the training program and authorizes the board of trustees of the school district to allow school district personnel to attend the program during regular school hours.
- Creates the Bullying Prevention Fund and requires the State Board of Education to adopt regulations, on or before December 31, 2011, establishing the process whereby school districts may apply to the State Board for a grant of money from the Fund to be administered by the Superintendent of Public Instruction (no funding provided to the fund by the bill). Also authorizes school districts to apply to the State Board for a grant of money from the Fund, which must be used to establish programs, provide training and implement procedures that create a school environment which is free from bullying, cyberbullying, harassment and intimidation.
- Requires the principal of each public school or his or her designee to: (1) establish a school safety team; (2) conduct investigations of reported incidents of bullying, cyber-bullying, harassment and intimidation; and (3) collaborate with the board of trustees of the school district and the school safety team to prevent, identify and address reported incidents of bullying, cyber-bullying, harassment and intimidation.
- Prescribes the qualifications and duties of the school safety team.
- Requires the principal of each public school to submit to the board of trustees of the school district a report on the number of incidents of bullying, cyber-bullying, harassment and intimidation occurring at the school or involving a pupil enrolled at the school during the previous school semester and also requires the board of trustees to submit to the Department a compilation of the reports.
- Requires a teacher or other staff member of a school who witnesses a violation of the prohibition on bullying, cyber-bullying, harassment and intimidation occurring at the school or who receives information of such a violation to verbally report the violation to the principal or the principal's designee.

- Requires the principal or the principal's designee to initiate an investigation of the reported violation and provides that a parent or legal guardian of a pupil involved in the reported violation may appeal a disciplinary decision of the principal or the principal's designee, made against the pupil as a result of the violation, in accordance with the policy governing disciplinary action adopted by the board of trustees of the school district.
- Requires the board of trustees of each school district, in conjunction with the school police officers of the school district, if any, and the local law enforcement agencies that have jurisdiction over the school district, to establish a policy for the procedures which must be followed by an employee of the school district when reporting a violation of the prohibition of bullying, cyberbullying, harassment and intimidation to a school police officer or local law enforcement agency.
- Revises the grounds for which a teacher or administrator may be demoted, suspended, dismissed or not reemployed to include an intentional failure to report a violation of the prohibition of bullying, cyberbullying, harassment and intimidation.
- Requires the Governor to annually proclaim the first week in October to be "Week of Respect."
- This act becomes effective on July 1, 2011.

#### State Board/Department of Education Action Required

Department staff will provide the State Board with draft regulations for the governing school district applications to receive funding from the Bullying Prevention Fund by October 31, 2011. If funding is made available, Department staff will develop the informational pamphlet within three months of receipt of the funding. Changes to the state accountability reporting system information will be developed in consultation with school districts and charter schools for implementation by June 30, 2012. All school districts and charter schools will be notified regarding the new provisions in the bill by July 1, 2011.

#### Primary Department Contact

Rorie Fitzpatrick, Office of Special Education, ESEA and School Improvement, Telephone Number: (775) 687-9140

Glenn Meyer, Office of Information Technology, Telephone Number: (775) 687-9140 (Accountability Reporting Information)

### **Senate Bill 315 - Requires the Commission on Professional Standards in Education to provide for the licensure of teachers and administrators pursuant to an alternative route to licensure.**

#### Summary of Statute Changes

- Requires the Commission on Professional Standards to adopt regulations prescribing the qualifications for licensing teachers and administrators pursuant to an alternative route to licensure and sets forth certain requirements that must be specified in those regulations.
- Specifies the requirements that the regulations must address to include: (1) that the required education and training may be provided by any qualified provider which has been approved by the Commission, including institutions of higher education and other providers that operate independently of an institution of higher education; (2) that the education and training required under the alternative route to licensure may be completed in 2 years or less; and (3) that, upon completion by a person of the education and training required under the alternative route to licensure and the satisfaction of all other requirements for licensure, the person must be issued a regular license.
- Requires the State Board of Education to conduct an annual evaluation of each provider approved by the Commission to offer an alternative route to licensure.
- Requires the regulations adopted by the Commission governing reciprocal licensure to include provisions for the reciprocal licensure of persons who obtained a license pursuant to an alternative route to licensure.

- Requires the Commission on Professional Standards in Education, on or before December 31, 2011, to adopt the regulations required by the provisions of this act.
- This act becomes effective on July 1, 2011.

State Board/Department of Education Action Required

Department staff will work with the Commission to develop draft regulations as required by the bill.

Primary Department Contact

Jerry Barbee, Office of Teacher Licensure, Telephone Number: (702) 486-6455

**Senate Bill 317 - Requires that plans developed and implemented to respond to crises occurring at public schools and private schools also address response to emergencies.**

Summary of Statute Changes

- Revises the duties of each crisis plan development committee established by a school district, charter school or private school to require that such a plan also address responding to a school emergency.
- Defines the emergencies which such a plan must address, including an occurrence or threatened occurrence requiring action to save lives, protect property or to protect the health and safety of persons on the property of a public school or private school, at an activity sponsored by the school or on a school bus.
- Requires the development committee, when developing and updating the plan for responding to a crisis or an emergency, to consult with the director of the local organization for emergency management or, if there is no such organization, with the Chief of the Division of Emergency Management of the Department of Public Safety or his or her designee.
- Requires each school committee that is established to review the plan to respond to a crisis to also review the component of the plan for responding to an emergency and to determine whether to request a deviation from the plan.
- Prescribes the duties of a school principal when an emergency occurs.
- Applies existing law to the emergency plans in that the plans are confidential and further provides that the meetings of the development committees, school committees and the State Board of Education concerning the plans to respond to a crisis are not subject to the Open Meeting Law.
- This act becomes effective on July 1, 2011.

State Board/Department of Education Action Required

All school districts, charter schools and private schools will be notified by July 15, 2011 of the required revisions outlined in the bill to the crisis plans developed for schools.

Primary Department Contact

Donnell Barton, Office of Nutrition and School Health, Telephone Number: (775) 687-9191

**Senate Bill 318 - Establishes provisions governing permissible flammability of certain components in school buses.**

Summary of Statute Changes

- Provides that new school buses which are purchased on and after July 1, 2014, must meet certain enumerated standards relating to: (1) the flammability of occupant seating; and (2) the flammability of plastic components contained within the engine compartment.
- This act becomes effective on July 1, 2011.

State Board/Department of Education Action Required

All school districts will be notified of the requirements by July 1, 2011.

Primary Department Contact

Donnell Barton, Office of Nutrition and School Health, Telephone Number: (775) 687-9191

**Senate Bill 365 - Eliminates certain mandates pertaining to school districts and public schools in this State**

Summary of Statute Changes

- Changes the mandatory requirement to a permissive option for boards of trustees to adopt a policy that sets forth procedures and conditions for a program to engage administrators employed at the district level in annual classroom instruction, observation and other activities.
- Repeals the state statutory requirement for a school district to prepare an annual plan for improvement. (It is noted that a plan is still required under the Federal Title I requirements for school districts that receive Title I funding).
- Requires the board of trustees of each school district which includes at least one high school with an enrollment of 1,200 pupils or more to adopt a pilot program of small learning communities for implementation in at least 50 percent of those high schools. Pilot programs to be implemented beginning with the 2013-2014 school year
- Requires the board of trustees of each school district which includes at least one middle school or junior high school with an enrollment of 500 pupils or more to adopt a pilot program of small learning communities for pupils in their initial year of enrollment for implementation in at least 50 percent of those schools. Pilot programs to be implemented beginning with the 2013-2014 school year
- Extends the date for the required adoption of a policy by the board of trustees of a school district for an academic plan that must be developed for each pupil enrolled in middle school or junior high school to January 1, 2013, for implementation beginning with the 2013-2014 school year.
- This act becomes effective on July 1, 2011, for all purposes except for the implementation of the required pilot programs that takes effect on July 1, 2013.

State Board/Department of Education Action Required

All school districts will be notified of the requirements by July 1, 2011.

Primary Department Contact

Rorie Fitzpatrick, Office of Special Education, ESEA and School Improvement, Telephone Number: (775) 687-9140

**Senate Bill 370 - Makes various changes to provisions governing children who are placed with someone other than a parent.**

Summary of Statute Changes

- Requires the board of trustees of each school district to adopt a policy for each elementary school in the district to develop an academic plan for each foster child enrolled in the elementary school whom the school district is informed is enrolled in the school. The academic plan must be reviewed at least annually, and a new plan must be developed for any pupil who transfers to an elementary school whom the school is informed is a foster child.
- Requires the academic plan to be used as a guide to plan, monitor and manage the pupil's educational development and make determinations of any assistance that may be necessary to the academic success of the pupil.

- Requires the Division of Child and Family Services of the Department of Health and Human Services to ensure that a school district is informed when a foster child is enrolled in a school in the school district so that an academic plan may be developed for the foster child.
- Requires that a copy of the academic plan be submitted to the court with jurisdiction over the child during the biennial review of the placement of the child.
- This act becomes effective on July 1, 2011.

State Board/Department of Education Action Required

All school districts will be notified of the requirements by July 1, 2011.

Primary Department Contact

Rorie Fitzpatrick, Office of Special Education, ESEA and School Improvement, Telephone Number: (775) 687-9140